

## REMARKS

### *1. Status of claims*

After entry of the above amendment, claims 1 and 3-19 are pending and under consideration.

### *2. Support for amendment*

The above amendment finds support in the specification at p. 4, lines 5-6, in light of Applicants' amendment to claim 2 made in their paper filed August 20, 2007. No new matter has been added by this amendment.

### *3. Claim rejections under 35 U.S.C. § 103(a)*

First, the Examiner rejected claims 1, 3-16, and 19 as being unpatentable under 35 U.S.C. §103(a) over Sakomoto, *et al.*, US 6,515,073 ("Sakomoto"). In light of the above amendment, the limitation of former claim 2, which was not rejected over Sakomoto, has been incorporated into independent claims 1, 7, and 14, and all claims dependent thereon. Therefore, claims 1, 7, and 14, as amended, and all claims dependent thereon, possess at least the same ground of patentability over Sakomoto as was possessed by former claim 2, and Applicants request this rejection of claims 1, 3-16, and 19 be withdrawn.

Second, the Examiner rejected claims 1, 3-16, and 19 as being unpatentable under 35 U.S.C. §103(a) over Kennedy, *et al.*, US 6,506,497 ("Kennedy"). In light of the above amendment, the limitation of former claim 2, which was not rejected over Kennedy, has been incorporated into independent claims 1, 7, and 14, and all claims dependent thereon. Therefore, claims 1, 7, and 14,

as amended, and all claims dependent thereon, possess at least the same ground of patentability over Kennedy as was possessed by former claim 2, and Applicants request this rejection of claims 1, 3-16, and 19 be withdrawn.

Further, Applicants disagree with the Examiner's conclusion from Boyers, *et al.*, US 6,982,006, ("Boyers"), col. 6, lines 1-10 that "etch rate is directly related to the mass to be removed" (Detailed Action, p. 4). The etch rate equation Boyers gives at the cited passage includes parameters X, (g resist/g ozone); however, later in the same paragraph, at col. 6, lines 13-21, Boyers reviews the work of others who found that full oxidation of resist by ozone is not required, and instead, oxidation can result in fragments of about 20  $\text{-CH}_2\text{-}$  units in length which can be carried away by a fluid stream passing over the workpiece. The generation of fragments of comparable size in etching of a siloxane resin would make the difference between SiH units and SiCH<sub>3</sub> units moot. Also, the etch rate equation of Boyers includes a parameter for the density of the resist, which the skilled artisan would expect to depend at least in part on the three-dimensional structure of the resist. Therefore, the skilled artisan could not conclude an SiH material would have a faster etch rate than a SiCH<sub>3</sub> material.

In addition, Boyers states at col. 7, lines 30-32 that "[t]he difference in etch rates of different materials at a given temperature is attributed to the difference in the magnitude of the surface reaction rate constant for the two materials," which the skilled artisan would conclude may have little, if any, dependence on the molecular weights of the materials.

4. *Conclusion*

Applicants submit all pending claims are in condition for allowance. The Examiner is invited to contact the undersigned patent agent at (713) 934-4065 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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